



NEGATIVE DECLARATION ADDENDUM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

ENVIRONMENTAL DETERMINATION NO. ED13-201

DATE: June 12, 2014

PROJECT/ENTITLEMENT: Hill Minor Use Permit; DRC2013-00032

APPLICANT NAME: Charles Hill & Pristine Sun

ADDRESS: 5475 Jack Creek Road, Templeton, CA 93465

CONTACT PERSON: Peter Coughlin, Pristine Sun

Telephone: (415)848-8148

PROPOSED USES/INTENT: Proposal by Charles and Donna Hill (c/o Pristine Sun) to allow an additional two and a half (2.5) acres of site disturbance for a previously approved 0.450-megawatt (MW) photovoltaic solar energy facility. The additional disturbance is to accommodate the reconfiguration and phased installation of some of the previously approved solar panels.

LOCATION: The project is located 5475 Jack Creek Road, approximately 0.2 miles northwest of State Route 46, approximately five miles west of the unincorporated community of Templeton, in the Adelaida Sub Area of the North County Planning Area.

LEAD AGENCY: **County of San Luis Obispo Department of Planning & Building**
976 Osos Street, Rm. 300
San Luis Obispo, CA 93408-2040

FINDINGS: Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration.

Based on staff's determination that all of the above conditions apply, an addendum to the adopted Negative Declaration is appropriate. The basis for this conclusion is described in the following section. In addition, please refer to the original Negative Declaration for further discussion about all potentially significant issues originally identified for the proposed project.

BASIS FOR ADDENDUM: This addendum is being prepared to reflect a reconfiguration of the solar panel arrays and associated additional grading. No substantial changes have been made or occurred and no new significant effects or substantial increases in severity of previously identified significant effects have been identified.

On April 5, 2013, the Planning Department Hearing Officer approved Minor Use Permit DRC2011-00074 for a 0.450-megawatt (MW) solar generation facility including: 2,088 anti-reflective photovoltaic panels; two inverters (PowerStation); pad-mounted step-up transformer; motion-activated security lighting system (timed limit); approximately 460 feet of underground conduit; three power poles; 60 feet of overhead, three-phase power lines; and connection to an existing Pacific Gas and Electric (PG&E) distribution pole (point of interconnection). The project also includes construction of a six-foot tall perimeter fence and one gate, six-foot tall hedgerow along a portion of the southeastern property corner, an internal 12-foot wide gravel access driveway, grading the existing access to 18 feet in width, reinforcement of an existing wood bridge on the primary access road (Jack Creek Road), and improvements to the existing driveway approach to York Mountain Road. No phasing was proposed at that time. A portion of the project has been constructed.

The proposed project does not propose changes to the previously approved project characteristics except for an increase in site disturbance and phasing of the construction. Phase I (1.5 acres of disturbance and 1,080 solar panels) has been developed under the approved Minor Use Permit. The proposed changes for Phase II (2.5 acres of disturbance and 1,008 solar panels) would result in additional ground disturbance beyond what was approved under the original Minor Use Permit. The revisions to the disturbance area and addition of phasing require a new Minor Use Permit.

At project completion, Phase I and II will have disturbed (soil movement) approximately four (4) acres. This additional ground disturbance will not result in any additional significant impacts or require additional mitigation above what was previously considered in the adopted Mitigated Negative Declaration.

Aesthetics. The additional grading would not have a significant impact on the visual character of the area. The applicant and county will, following construction, confirm establishment and maintenance of the proposed vegetative screening and use of anti-reflective coating on the solar panels. Mitigation measures identified in Exhibit B of the mitigated negative declaration will reduce potentially significant impacts to a less than significant level and apply to the proposed changes.

Agricultural Resources. The additional grading would not result in a significant impact to existing or future agricultural uses in the surrounding area. The proposed changes would be located at a distance of 200 feet or greater from the western property boundary, and the project would not impair use or result in a constraint to agricultural production in the area.

Air Quality. As identified in the original mitigated negative declaration, air quality impacts during construction include: the creation of fugitive dust (PM₁₀), the potential release of asbestos during demolition and removal of pipelines, the potential release of naturally occurring asbestos during grading, and unpermitted developmental burning. No operational impacts were identified. The applicant will be implementing, as required by the original mitigated negative declaration, APCD fugitive dust mitigation measures, compliance with the requirements listed in the National Emission Standard for Hazardous Air Pollutants, will retain a qualified individual to conduct a geologic investigation for naturally-occurring asbestos, and will avoid burning, or if no alternative is available, obtain a burn permit from the APCD and County Fire/California Department of Forestry. These measures will apply to the additional grading and will minimize potential air quality impacts to less than significant levels.

Biological Resources. The additional grading would not result in any significant additional impacts to biological resources. The additional grading will affect native and non-native grasses and forbs characteristic of California Annual Grassland. Disturbance and development would occur within an area historically grazed by horses. Based on the submitted *Biological Resources Constraints Report (ESA, 2012)* for the project, the grasslands could provide foraging habitat for nesting birds; however, no special-status species are expected to be present within the grassland areas of the site and location of the proposed additional disturbance. As identified in the original mitigated negative declaration, the applicant will retain a qualified biologist to conduct pre-construction and pre-decommissioning surveys for birds during the nesting season within a 500-foot radius of the project area. Grading for the proposed changes will be limited to the non-nesting seasons, and includes protection and avoidance of any active nests. Based on implementation of the mitigation measures from the previously adopted mitigated negative declaration, potential impacts to biological resources would be less than significant.

Geology and Soils. The project site is not located within a Geologic Study Area combining designation, and does not include the development of habitable structures. Construction would comply with the California Building Code; therefore, no significant geologic impacts would occur. The project site is within a drainage review area, and the installation of PV trackers would increase the amount of impervious surfaces onsite. These impacts would be adequately addressed by existing regulations identified in the LUO (a drainage plan is required upon submittal of the building permit application). A preliminary Storm Water Pollution Prevention Plan (SWPPP) was prepared for the original project (Pristine Sun, 2012); this will be updated for the proposed project and reviewed by the County. Additional grading would not require measures above what will already be required by ordinance or codes as needed. Potential impacts would be less than significant, and no additional mitigation measures are recommended.

require measures above what will already be required by ordinance or codes as needed. Potential impacts would be less than significant, and no additional mitigation measures are recommended.

Transportation and Circulation. Additional grading and reconfiguration of the proposed project will not result in additional traffic to the area; therefore, will not result in a significant change to the existing road service or traffic safety levels and potential impacts will be less than significant.

Water. Based on the original project description, the project will require approximately 1,500 gallons of water, twice a year, for panel washing and maintenance. The water will be brought to the site by water trucks and is not anticipated to affect groundwater and/or community water supply. The proposed revisions to the project will not require additional water. The project will disturb more than one acre and will be required to prepare a SWPPP. The applicant prepared a preliminary SWPPP including best management practices (Pristine Sun, 2012), which will be updated and finalized prior to construction. Based on compliance with standard measures and implementation of mitigation identified in Exhibit B of the original mitigated negative declaration, potential impacts to water would be less than significant.

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

Megan Martin		Project Manager	June 12, 2014	County of SLO
Name	Signature	Title	Date	Public Agency